

OUTCOMES and STRATEGIC PLANNING

EXECUTIVE SUMMARY

As the work of legal services programs becomes more complex long term strategic planning is gaining importance. Programs are faced with greater demands from multiple funding sources. If the organization doesn't remain true to its mission they may lose sight of what is important. A key component of a strategic planning process should be a hard look at all aspects of client outcomes.

Outcomes for clients involve quality. Quality from a client's perspective could be defined as "results (ends) driven. It is about the perception the client has of you and your services. It is distinguished by services being timely, professional, responsive, and courteous; resulting in client satisfaction, empowerment, or relief; and having a lasting positive impact on the client-if not the community as a whole".¹ Planning for quality outcomes for clients is a process that occurs on many levels and involves many parties.

The planning process itself might occur on different levels, such as locally within a program, on a state level within the statewide justice community or at a nation level, such as within the Legal Services Corporation. Each level of planning may result in different intended consequences with varied uses for the resulting outcomes data. Planning for positive client outcomes must include not only those traditionally seen as engaging in strategic planning, such as management and board, but also staff, clients and members of the wider community. These partners can help guide the planned use of outcomes and can provide valuable insight from different perspectives.

Quality outcomes for clients don't just happen. Outcomes must be planned. Planning for positive outcomes involves not only defining what the intended outcomes might be but also how data on client outcomes can be used by the program. Advocates can use outcome measures to see how their work affects the lives of their clients. Managers may use outcomes to evaluate and motivate staff. Outcomes may be used to cultivate partnerships and to raise valuable resources. The use of outcomes can be internal to the organization or external, such as a marketing tool or in telling the story of the organization. Whatever uses may be made of outcomes, it is critical that programs plan this aspect of their work.

¹ Assessing and Assuring Quality "From a Client's Perspective", Equal Justice Conference Workshop written materials, April 2004.

Introduction

As Legal Aid of East Tennessee (LAET) begins to discuss a strategic planning process one issue under consideration is how outcome measurement fits with the mission of the program.

As more and more funding sources require various outcome measures legal aid programs simply cannot ignore the costs and benefits of addressing client outcomes. Any strategic planning process must of necessity address all of the various costs to the program and ways the program can improve quality. Making a conscious decision to address the issue of outcome measurement in a strategic planning process can prove to be invaluable to the long-range success of the organization.

History of Legal Aid of East Tennessee

LAET is a product of state planning and reconfiguration. In 1998 Tennessee responded to the request of LSC to engage in a state planning process. One feature of the resulting state plan was a reconfiguration of the eight LSC funded programs in Tennessee. In East Tennessee the Knoxville Legal Aid Society and Legal Services of Upper East Tennessee merged while Southeast Tennessee Legal Services gave up its LSC funding. The resulting organization, Legal Aid of East Tennessee, covers 26 counties with a poverty population of over 230,000. LAET began operation on January 1, 2002 after a year of intense planning. Since that time LAET has spent much energy on integrating the three program cultures, developing an outstanding management structure and addressing the myriad other issues attendant to reconfiguration. LAET is now ready to seriously address strategic issues, including outcome measurement.

During the reconfiguration process that resulted in the formation of LAET discussions were held about case management systems and the use of outcomes. These conversations were held within the newly emerging management team, composed of the Executive Director, three Associate Directors, the Director of Human Resources and the Chief Fiscal Officer. During this hectic time of planning for the new program little time was afforded to the very important topic of outcome measures. When the decision was made to stay with Clients for Windows (the program that all of the separate programs were using at the time) the outcome measures built into the software were adopted by implication as those to be used by the program. This planning process was clearly inadequate, but was all that could be done during the time of reconfiguration.

History of LAET Outcome Tracking

In the two years since the formation of LAET the program has found an increasing demand for outcomes data from various sources. Several grantors, including STOP, VOCA and HUD require reports on client outcomes. The requirements vary greatly by funder. Developing systems to minimize the burden of outcome reporting have become a priority for LAET management. LAET currently uses various outcome measurement systems, mostly driven by the grant source requesting outcome data. At its most basic level LAET tracks outcomes in all cases

through its case management system, Kamps Clients for Windows. For each case that is closed the case handler notes whether the client received advice, won, lost or had a mixed result. In addition, a main benefit for each case is tracked. These basic outcome measures have been used by LAET and its predecessor organizations for many years. Each LAET client also receives a written client satisfaction survey at the close of his or her case that includes some outcome information. Currently the returned surveys are not tallied electronically so no compilation of client satisfaction is available.

Several grant sources require much more extensive outcome reporting. One example is the HUD Housing Counseling Grant. There is a list of 43 possible outcomes that must be tracked to meet HUD reporting requirements. Prior to the modification of the LAET Case Management System (CMS) advocates were tracking this information in hard paper form. At the end of each month the Associate Directors would manually tally the various outcomes on a master sheet for each of the three LAET regions. Someone else in the central office would then combine the three master sheets into one summary sheet that would be submitted to HUD. It is easy to see how this was a very time consuming and onerous task. After several months of this reporting method a management meeting was called to discuss the problem in meeting the HUD reporting requirements. It was decided then to modify the CMS to add the list of outcomes so an advocate could simply check the appropriate outcome at the time the case is closed. At the end of each month the Technology Director runs a report on this field in the CMS and the data for the necessary report is produced. The relatively simple step of modifying the CMS saves advocates and management hours in grant reporting each month. Other grants, such as STOP and VOCA require similar tracking of outcomes beyond those regularly tracked by LAET. As new grants are obtained with varied outcome reporting requirements LAET's Technology Director will be called upon to further modify the case management system to track the required data.

LAET now sees that it is time to address the very important issue of outcome measures and work to develop a more comprehensive system to gather and analyze this data. The experience discussed above of manual calculation of outcomes for the HUD grant is a prime example of the abundant human resources required to accomplish outcome reporting. Currently outcomes for at least two major grants (VOCA and STOP) are gathered and tabulated manually. Valuable attorney and other staff time is spent each month to accomplish the outcomes reporting requirements for these grants. In addition to the staff burden the state of the data is not a useful management tool.

2004 has emerged as a year when most all of the configuration issues at LAET have been resolved and LAET is ready to move on to more strategic issues. LAET is currently seeking bids to engage in an extensive long-term strategic planning process. One important component of that process will be planning for more useful outcome measures.

Strategic Planning

Strategic planning serves many purposes. A well considered planning process evaluates the past, present and future of the organization. It looks at internal as well as external factors. It evaluates the strengths and weaknesses of, and opportunities and threats to the organization. In newly

merged programs planning for the future is especially important. Merging divergent cultures and practices can pose one of the biggest challenges to newly merged programs. While LAET has emerged from a successful reconfiguration process many challenges remain.

One goal of a strategic planning process is to develop a mission and vision for the organization. While the mission is a broad statement of what drives the program a more focused strategy to carry out the mission is also critical. The mission statement shows that the cause is worthwhile. As discussed by V. Kasturi Rangan, “While it is hard to fault people for trying to improve the state of the world, this approach is misguided. Acting without a clear long-term strategy can stretch an agency’s core capabilities and push it in unintended directions.”² It is not enough for a strategic planning process to develop a great mission, vision and measurable goals for the program’s work. It must of necessity include a detailed roadmap of how to achieve the goals. This process also involves looking for the outcomes that will help measure the work of the organization and insure quality delivery of services.

Strategic planning can occur on several levels. LAET is preparing to undertake a local, program oriented planning process. Statewide justice communities also engage in strategic planning, particularly through the state planning process. This process can produce statewide outcomes. For example, in Tennessee part of the state plan addresses “effective client futures” and the concept that one goal of the statewide justice community is to produce effective futures for all clients in the state. On a nation level, LSC regularly engages in long term planning. The current focus on outcomes and Outcomes Summit II are a prime example of how the Corporation is looking to measure the good work programs are doing in their local communities. The focus of much of this strategic planning is on improving quality of service delivery. Many legal aid programs state as part of their mission “delivery of high quality legal services”. A question arises in how to define “quality”. The various levels of planning each may define quality in a different way. For example, on a local level quality may be seen as positive outcomes for individual clients while on a state level quality may be defined as effecting some positive change for the low-income population in the state. Key to these definitions of quality is a concrete planning process that leads to measurements of quality, or outcomes. Programs must be prepared to meld the various outcomes into a useful internal process. Systems must be flexible to accommodate new funders with differing outcome reporting requirements. Programs should be able to extrapolate from their collected outcome data to satisfy not only funding sources but also other partners locally, statewide and nationally.

Measuring outcomes is a component of any delivery system, be it local or statewide. Outcome measurement is a powerful tool for examining how clients benefit as a result of services they receive from legal services programs.³ Outcomes don’t just happen. They must be planned. Hard work of legal aid advocates and staff insure quality outcomes for clients. While outcomes should be consistent with a program’s mission, the strategy for achieving the mission will have a more direct impact on the outcomes for clients. Often times organizations are pulled by market forces, or driven by funders. This plays into the strategy for achieving the mission and is part

² Lofty Missions, Down-to-Earth Plans. Harvard Business Review, March 2004.

³ Outcome Measurement: An Integral part of an Effective Statewide Legal Services System. Ken Smith and Lorna Blake, ABA Dialogue, Summer 2000.

and parcel of the planning process. Programs that are too dependent on market forces often lose sight of their strategy as they take on whatever project may be funded. This can prove to be a costly proposition for an organization that is not clearly focused on the strategies developed during the planning process. While a new project may seem attractive and a way to bring much

needed money into the organization, programs often forget about the entire costs attendant to taking on a new project. The funding may cover the basics of salary, fringe and overhead. There are many other indirect costs associated with launching new programs that are not always considered. Many of these costs are not financial, such as the perception of the local community, social service agencies and other partners of the organization. The program may achieve good outcomes for the clients or it may fail miserably. While no new project is without risk, a comprehensive strategic planning process could serve to insure that new projects do not put an undue burden on program resources while meeting the needs of the various constituents of the program.

Strategic Planning and program assessment is a key to building a comprehensive, integrated legal services delivery system that expands access and delivers more and better services for clients.

- It identifies high-performing programs that can provide "best practice" models for replication elsewhere within the state and around the country.
- It supports effective technical assistance to under-performing programs.
- It provides information that anchors a program's strategic marketing efforts in the demonstrated results (outcomes) being actually delivered to clients and communities.
- It enables a state community to celebrate innovation and success.⁴

Planning for Outcomes

The process of planning for quality outcomes for clients is ongoing. It must begin with a program's long range planning and continue through the day-to-day operations of the program. As discussed throughout this paper, strategic planning has many goals and covers many issues. While some strategic plans may focus on resource development, increasing pro bono involvement or other broad issues, basic delivery issues, such as intake, must also be addressed. Before a strategy for a program to meet its mission can succeed all staff must be willing and able to play an active role. While the planning piece may well occur at the level of program management and board of directors, the day-to-day structures implemented by the program are carried out by all staff. As noted by the Legal Services Corporation, in a logical approach to achieving quality outcomes for clients the clients and staff know and support the program's vision and priorities. Plans for reaching goals are clear and carried out.⁵ It is clear that planning is necessary to achieve the goal of quality outcomes for clients. Not only are the planners and staff involved, the clients themselves must also be involved. For the clients to know and support the program's vision and priorities they must be involved in the planning process.

⁴ Ken Smith, www.greatprograms.org.

⁵ Assessing and Assuring Quality "From a Client's Perspective", Equal Justice Conference Workshop written materials, April 2004.

How do programs engage clients in the planning process? Often the first contact a client has with a program is through the intake process. How a program conducts intake can lead to further client involvement and quality outcomes. Intake discussions should be a focus of strategic planning activities. Developing quality systems for initial client contact can make the difference in the client getting nothing, something or a high quality outcome. The focus of legal services

programs is the clients they serve. To determine what clients need and how to go about achieving those outcomes requires a considered strategy, one that involves the clients themselves.

Outcomes as a Management Tool

Another benefit of strategic planning is allowing managers to better manage their programs. According to LSC, in a logical approach to achieving quality outcomes for clients, there are effective legal work management and administrative systems, open communications, team building and training opportunities in place to engender a quality culture.⁶ All of these issues should be addressed in program's strategic planning process. Having the systems in place is one step in achieving quality client outcomes. There is more involved. Managers must *use* the outcomes data gathered in a way to improve the quality of the services the program delivers. It is all too common for a program to gather outcomes data, compile the data and make glowing reports to grant sources then do nothing more. The data must be analyzed by managers and used as a basis for enhancement of staff performance. Managing for results is a concept widely used in the government and non-profit sectors. This ties directly to the use of outcomes as a management tool. However, before an agency can change its management style and philosophy to focus on results much planning must occur. The logical place for this planning to occur is in a facilitated strategic planning process. Conscious decisions must be made as to how managers within the organization function and what are indicators of quality within the staff. Client outcomes is but one small piece of the management puzzle, although be it a very important piece. With proper planning managers can use outcomes data as a powerful management tool to improve quality, raise staff morale and increase access to services.

Other Uses for Outcomes

As programs plan for outcome measurement they must be mindful of the wide range of uses for the resulting data. On its face outcome measurement appears to be a way to gauge how a program delivers services to its clients as well as the satisfaction of the client with those services. If this is the sole use by the program of outcome data they are missing out on an opportunity to take a readily available data set and apply it to a variety of other uses that could prove beneficial to the program. As discussed above, outcomes data can be a powerful management tool. Outcomes can be used as a basis to determine quality of staff performance and to motivate staff. Outcomes are the result of the hard work of all staff in the program, not just the advocate that ultimately represented the client. Front line support staff is often not recognized for the positive

⁶ Assessing and Assuring Quality "From a Client's Perspective", Equal Justice Conference Workshop written materials, April 2004.

effect they have on clients. Outcomes data can show them how important their role is in serving the whole client. Outcomes data can also help a program management team plan for the future. By careful analysis of outcomes data managers can see the strengths and weaknesses of their staff. They can work together to build on the strengths and address the weaknesses. All of these internal uses of outcomes data can be addressed in a strategic planning process. It is important to

plan for the intended outcomes for clients, however it is equally as important to plan for the use of the data once it is collected.

Outcomes can also be used to develop relationships outside the organization. Here again considered planning for the external use of outcomes is critical to the long-range success of a legal services program. Outcomes can be used to build partnerships. By showing potential partners the outstanding accomplishments achieved for clients new collaborations can be formed that can further increase the ability of legal services programs to serve clients. As a resource development tool outcomes are critical. Positive client outcomes can be used to bolster a grant application. They can be touted in a fundraising campaign. The very fact that systems are in place within the program to measure client outcomes could be a selling point to potential funders. Nothing could better tell the story of a legal services organization to a foundation than to show the positive outcomes achieved for clients. A program's annual report can highlight the positive results seen by clients. While none of these uses of outcomes could be characterized as "direct client services" they certainly have an impact on the ability of a legal services program to serve clients. These external uses are amenable to advance planning and meld well with a strategic planning process. The more planning that can occur on the front end, the better the results on the back end. In this instance planning for measurement of outcomes can have a far-reaching impact on the ability of the program to serve clients.

Conclusion

Strategic planning is an expensive and time-consuming proposition. With resources to serve clients in short supply it may be hard to justify the expense of a facilitated planning process. Moving forward haphazardly, however, can have devastating consequences. As more and more funders require programs to measure client outcomes legal services simply cannot ignore this important part of their work. Any planning process must include a considered discussion of client outcomes. By planning for intended outcomes and use of outcomes data for various purposes legal services programs are positioning themselves to further their ability to serve clients. This discussion of outcome measures and uses can occur on several levels. At the local level individual programs measure specific outcomes and use the data in a variety of ways. On a statewide level discussions of outcomes should be part of the ongoing state planning process and be a key part of the work of state justice communities. On the national level LSC is currently exploring the best methods to gather outcomes data. The Outcomes Summit II is an example of nation strategic planning for quality client outcomes. The discussion at each level will have a different focus, yet the results should be the same: to develop strategies for the delivery of legal services that ensure high quality outcomes for clients.